



FORUM

Facts, Outcomes, & Research... Useful for Managing

WASHINGTON STATE'S DRUG OFFENSE SENTENCING REFORM – JUDICIALLY SUPERVISED TREATMENT IN LIEU OF INCARCERATION

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Written from a presentation to the National Conference of State Legislatures Health Chairs Spring Meeting by Ed Vukich of the Department of Social and Health Services, Division of Alcohol and Substance Abuse.

Since the 1980's, growth in Washington State's prison population has far outpaced the growth in the state's total population. In other words, offenders are coming into DOC much faster than citizens are coming into Washington. Drug offenders, specifically, have increased from 2.6 percent of the prison population in 1985 to 21 percent in 2003. Adult felony drug offense prison sentences have increased over 1,550 percent since 1986. Prison expenditures on these drug offenders was at \$89 million in fiscal year 2003, up from \$3 million in fiscal year 1984. Reading these facts could make one think something needs to be done with our prison population. In fact, legislators thought just that.

The solution they came up with is known as Second Substitute House Bill 2338. This bill consists of two parts: sentencing changes to produce prison bed savings and establishing the Criminal Justice Treatment Account (CJTA). Of the total estimated savings produced under the sentencing changes in the bill, 25 percent is to provide substance abuse treatment for offenders incarcerated in DOC facilities, while 75 percent is transferred into the CJTA in order to provide substance abuse treatment for offenders against whom charges have been filed. Funds in the CJTA are distributed to the counties by the Division of Alcohol and Substance Abuse, and are used to provide judicially supervised substance abuse treatment to offenders instead of incarcerating them. An example of a judicially supervised substance abuse treatment venue is a drug court, however treatment is not limited to just that scenario.

The results of the bill, thus far, indicate over 2,100 offenders have had judicially supervised treatment either fully or partially funded through the CJTA and that drug offenders are receiving shorter sentences than those sentenced before the change.

But if these offenders are being treated under the CJTA, and are, thereby, avoiding time in jail and prison, then why is the prison population still increasing and is forecasted to continue to increase well into the future? There are several reasons. First, the phasing in of the sentencing changes takes time. Because the sentencing changes apply to offenses committed on or after July 1, 2002, only about 80 percent of the sentences will fall under the new policy after the first year, reaching 99 percent by year five. Second, there has been a dramatic decrease in the use of Drug Offender Sentencing Alternative (DOSA) sentences with a corresponding increase in DOSA

revocations. Third, violators being sent to prison instead of jail have contributed to an increase in prison population. Fourth, the passage of ESSB 5990 in 2003 makes some prison offenders eligible for up to 50 percent earned release



FOR YOUR INFORMATION..

BOOK/PUBLICATION OF THE MONTH

Chemical Dependency Treatment and Cost Savings Estimates in Washington. Learn about the cost savings to public agencies through the use of substance abuse treatment programs. Available by request from Planning and Research or online at: <http://www1.dshs.wa.gov/pdf/ms/rda/research/4/28.pdf>

WEB SITE OF THE MONTH

Review of tables and charts pertaining to this month's article. Washington State's Drug Offense Sentencing Reform. Available at the Planning and Research bulletin board in Outlook: *Public Folders/DOC/Agencywide Info/Research Resources*

DEFINITION OF THE MONTH

ADATSA Program: A program for indigent citizens deemed unemployable due to their dependence on drugs or alcohol

DOC MONTHLY STATISTICS AS OF JUNE 30, 2004

CONFINEMENT POPULATION 17,229

Total Confinement 16,348

Work Release 649

Out of State Rented Beds 232

COMMUNITY CORRECTIONS POPULATION

ACTIVE SUPERVISION 35,649

RMA 7,794

RMB 6,561

RMC 2,804

RMD 11,472

Unclassified 1,694

MONETARY 5,324

INACTIVE STATUS 16,227

ESCAPES FROM SECURITY LEVELS 2-5, FOR FY05

	Date	Type	Return
Stafford Creek	08/29/03	Facility	08/29/03
Ahtanum View	09/01/03	Facility	09/08/03
Tacoma PR	10/29/03	Off-Site	12/16/03
MCC -Twin Rivers	11/01/03	Facility	11/09/03
Olympic	12/13/03	Facility	12/14/03
Pine Lodge PR	12/24/03	Facility	12/24/03
Airway Heights	01/04/04	Facility	01/04/04
MCC-WSR-Min	03/17/04	Facility	03/17/04
Tacoma PR	03/22/04	Facility	03/31/04
Airway Heights	03/30/04	Work Crew	-----
PLPR	06/13/04	Facility	-----
WCCW-Min.	06/15/04	Work Crew	06/17/04

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